

conclusion
A' E3
cont

n is 1; and

R₁ is selected from hydrogen, (C₁-C₃)-alkyl, OH, or O-(C₁-C₃)-alkyl.

REMARKS

INTRODUCTORY MATTER

In a March 8, 2000 telephone interview with applicants' representative, Mr. Govindaswamy, the Examiner clarified the scope of the restriction with regards to Groups VIII, IX and X recited in the Restriction Requirement. Specifically, the Examiner stated that:

- the invention of Group VIII included within its scope compounds of formulae (Ig) and (Ih), wherein each of the two radical Y is nitrogen and n is 1;

- the invention of Group IX included within its scope compounds of formulae (Ig) and (Ih), wherein one of the two radical Y is carbon, the other radical Y is nitrogen and n is 1;

- the invention of Group X included within its scope included within its scope compounds of formulae (Ig) and (Ih), wherein each of the two radical Y is carbon and n is 1.

This clarification is incorporated in applicants' recitation of the restriction below.

THE AMENDMENTS

Applicants have canceled claims 1-2, 13 and 16-17 because they are directed to non-elected subject matter. Applicants have canceled claim 14 because it recites, in part, non-elected subject matter of claims 1-2, and the remainder is rendered moot by applicants' election set forth below.

Applicants have canceled claim 3 and recast part of its subject matter in added claim 38. In claim 3, the definitions of radicals A, Q₁, Q₂, R, R', X, Y and n were incorporated from claim 1. The definition of these radicals

is fully recited in claim 38. Consistent with this amendment, applicants have amended claims 4, 8, 11, 15, 18, 22-25 to depend from added claim 38.

None of the above amendments adds any new subject matter.

THE RESTRICTION

The Examiner has required a restriction of the present application under 35 U.S.C. § 121 to one of the following thirteen inventions:

Group I: claims 1-2, 4-15 (in part), 16-17 and 25-37, drawn to compounds of formula (Ia) and (Ic), wherein each of radical Y is carbon and radical A is nitrogen, compositions thereof and methods of use therewith;

Group II: claims 1-2, 4-13 (in part) and 25-37, drawn to compounds of formula (Ia) and (Ic), wherein one radical Y is carbon, the other radical Y is nitrogen and radical A is nitrogen, compositions thereof and methods of use therewith;

Group III: claims 1-2, 4-13 and 25-37 (all in part), drawn to compounds of formula (Ia) and (Ic), wherein each of radical Y is nitrogen and radical A is nitrogen, compositions thereof and methods of use therewith;

Group IV: claims 1-2, 4-12, 14-15, 16-17 and 25-37 (all in part), drawn to compounds of formulae (Ia), (Ib), (Ic) and (Id), wherein each of radical Y is carbon and radical A is CR', compositions thereof and methods of use therewith;

Group V: claims 1-2, 4-12 and 25-37 (all in part), drawn to compounds of formula (Ia), (Ib), (Ic) and (Id), wherein one radical Y is carbon, the other radical Y is nitrogen and radical A is CR', compositions thereof and methods of use therewith;

Group VI: claims 1-2, 4-12 and 25-37 (all in part), drawn to compounds of formulae (Ia), (Ib), (Ic) and (Id), wherein each of radical Y is carbon and radical A is CR', compositions thereof and methods of use therewith;

Group VII: claims 3-13, 18-21 and 25-37 (all in part), drawn to compounds of formulae (Ie) and (If), wherein each of radical Y is nitrogen, radical A is nitrogen and n is 1 (tetrazines), compositions thereof and methods of use therewith;

Group VIII: claims 3-13, 18-21 and 25-27 (all in part) drawn to compounds of formulae (Ie) and (If) wherein one of radical Y is carbon and the other radical Y is nitrogen, radical A is nitrogen, n is 1, compounds of formulae (Ig) and (Ih), wherein each of the two radical Y is nitrogens and n is 1 (triazines), compositions thereof and methods of use therewith;

Group IX: claims 3-15 and 18-37 (all in part), drawn to compounds of formulae (Ie) and (If), wherein each of radical Y is carbon, radical A is nitrogen, n is 1, and compounds of formulae (Ig) and (Ih), wherein one of radical Y is carbon and the other radical Y is nitrogen, and n is 1 (diazines), compositions thereof and methods of use therewith;

Group X: claims 3-12, 14-15 and 18-37 (all in part), drawn to compounds of formulae (Ie) and (If), wherein each of radical Y is carbon, radical A is CR', n is 1, and compounds of formulae (Ig) and (Ih), wherein each of the two radical Y is carbons (pyridines), compositions thereof and methods of use therewith;

Group XI: claims 3-12, 18-21 and 25-37 (all in part), drawn to compounds of formulae (Ie) and (If), wherein each of radical Y is nitrogen, n is 0 (triazoles), compositions

thereof and methods of use therewith;

Group XII: claims 3-12, 18-21 and 25-37 (all in part), drawn to compounds of formulae (Ie) and (If), wherein one of the radical Y is carbon, the other radical Y is nitrogen, n is 0 (diazoles), compositions thereof and methods of use therewith;

Group XIII: claims 3-12, 14-15 and 25-37 (all in part), drawn to compounds of formulae (Ie) and (If), wherein each of radicals Y is carbon, n is 0 (pyrroles), compositions thereof and methods of use therewith.

APPLICANTS' ELECTION

Applicants elect for further prosecution Group X, claims 3-12, 14-15 and 18-37 (all in part), drawn to compounds of formulae (Ie) and (If), wherein each of the two radical Y is carbon, radical A is CR', n is 1, and compounds of formulae (Ig) and (Ih), wherein each of the two radical Y is carbon, n is 1, compositions thereof and methods of use therewith. This election is without prejudice and without waiver of applicants' right to prosecute the unelected subject matter in subsequent applications claiming priority herefrom.

As noted above, applicants have recast the above elected subject matter of claim 3 in added claim 38 and canceled claims 3 and 14. Claims 4-12, 15 and 18-37 have been amended to either depend from or refer to added claim 38.

ELECTION OF SPECIES

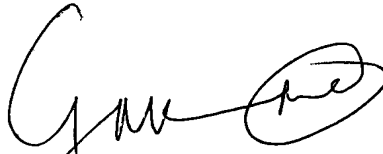
The Examiner has required an election of species under 37 C.F.R. § 1.146.

Applicants elect compound No. 407, disclosed at Table 5, page 50 of the specification.

CONCLUSION

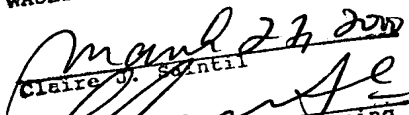
Applicants request that the Examiner enter the amendments presented herewith and allow the claims to pass to issue.

Respectfully submitted,



James F. Haley, Jr. (Reg. No. 27,794)
Attorney for Applicants
Nandakumar Govindaswamy
(Ltd. Recognition)
Agent for Applicants
c/o FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020
Tel.: (212) 596-9000

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